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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,269	11/10/2000	Paul Gothard Knutson	RCA88795	2386

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EXAMINER

SHARMA, SUJATHA R

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/581,269

Applicant(s)

KNUTSON ET AL.

Examiner

Sujatha Sharma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) -
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 10-17 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chien [US 6,308,062] and McDonald [US 5,191,593] in view of Ishikura [US 6,052,565].

Regarding claims 1,10 and 19, Chien discloses a wireless telephony system enabling access to PC based functionalities. Chien further discloses:

- a system with plurality of wireless handsets (15 in Fig.1) with wireless transceiver to communicate wirelessly with the base unit/radio fixed part (20 in Fig.1)
- an interface (125 in Fig.2) in the ASIC 120 for interfacing with an external computer (10 in Fig.1) and further a processor to perform the telephone functions such as routing of calls.
- a CPU 40 in the personal computer which when interfaced with the fixed part can interact with the processor in the fixed part for changing system configuration. See summary of invention, Fig.1, Fig.4, col.1, lines 39-49, lines 62-67, col.3, lines 15-30, col. 4, lines 37, col.5, lines 6-49 and col.6, lines 1-40.

The reference particularly does not disclose the use of a phone call linear combiner for selectively combining and routing phone calls (such as in conference calls). Chien further

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discloses the functionality of conference call using the system but however does not disclose the use of a phone call linear combiner.

McDonald teaches the use of a linear combiner to combine audio signals from various users during a conference call. See summary of invention and col. 6, lines 26-31.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the above teachings of McDonald in Chien's system in order to multiplex signals and facilitate the processing of a conference call.

Chien and McDonald do not disclose a method wherein based on the system condition a system setting is automatically changed by the external computer.

Ishikura, in the same field of endeavor, teaches a method of directly interfacing the handset with a personal computer to allow a CDPD transmission there between. See Fig.1 and col. 8, lines 18-26. Ishikura further discloses a method wherein the computer can communicate with the processor to change the system configuration and the external computer being responsive to system condition such that a system setting is automatically changed by the external computer based on the system condition. See Fig. 25 and col. 16, lines 27-56. Here the system condition is the control data from the base station to the external computer via the handset and the modem unit confirming that CDPD communications are ready and based on this system condition, the personal computer transmits a power-on control signal to the hand held phone thus changing the system setting automatically in response to system condition.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the above teachings of Ishikura to the modified Chien's system in order to provide an improved CDPD data transmission efficiency.

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Regarding claims 2,11 and 20, Chien further discloses a voice data buffer 140. See Fig.2.

Regarding claims 3,12 and 21, Chien further discloses a controller (65 in Fig.2) for controlling functions such as combining of voice signals. See col.3, lines 15-40.

Regarding claims 4,13 and 22, Chien further discloses a method for selective combining and routing of calls (such as in conference calls). See col.5, lines 45-49, col.6, lines 1-27 and Fig.2.

Regarding claims 5,14 and 23, Chien further discloses a RAM in the base unit for storing system configuration data received from the external computer. See Fig.4 and col.4, lines 49-60.

Regarding claims 6,15 and 24, Chien further discloses a method of setting up conference calls using an external computer, which indicates the handsets, to be added to the conference call. See col.5, line60-col.6, line 18.

Regarding claims 7 and 16, Chien discloses a TDMA technology for communication between the base unit and the handset. See col.3, lines 15-30.

Regarding claims 8 and 17, Chien further discloses the interface and the external port coupled to the interface have sufficient bandwidth to support the provided features. See col.3, lines 5-14.

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Claims 9,18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chien [US 6,308,062] and McDonald [US 5,191,593] in view of Ishikura [US 6,052,565] and further in view of Lee [US 6,198,925].

Regarding claims 9,18,25, Chien as treated in claims 1, 10, and 19 discloses all the limitations as claimed. However the modified Chien does not disclose the method of adding another interface to the base station under the control of the computer to expand the overall system size.

Lee in the same endeavor teaches a method of increasing the capacity of a cellular system where the base station is connected to the base station controller/computer. Lee shows a method where the omni sector 102 is sectorized by adding 3 interfaces 104,106,108 to expand the capacity but still under the control of the same base station controller. See Figs 1-3 and summary of invention.

Therefore it would have been obvious to one with ordinary skill in the art to provide the teachings of Lee to modified Chien in order to reduce interference and increase the capacity of the system.

Response to Arguments

2. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Payne [US 6,161,201] Method and apparatus for concurrent interaction with a modem having an open connection

Dykes [US 5,428,671] Modem for tight coupling between a computer and a cellular telephone

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Sujatha Sharma
June 9, 2005


NICK CORSARO
PRIMARY EXAMINER